

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ET AL.,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC. and  
JETBLUE AIRWAYS CORPORATION,

Defendants.

Civil Action No. 1:21-cv-11558-LTS

**AMERICAN AIRLINES GROUP INC. AND JETBLUE AIRWAYS CORPORATION’S  
UNOPPOSED MOTION FOR EXPEDITED BRIEFING AND CONSIDERATION OF  
MOTION TO COMPEL ATTENDANCE OF DELTA EXECUTIVES AT TRIAL**

Defendants American Airlines Group Inc. (“American”) and JetBlue Airways Corporation (collectively with American, “Defendants”) respectfully move this Court for an expedited briefing schedule with respect to American and JetBlue’s Motion to Compel Attendance of Delta Executives at Trial (“Motion”) (ECF No. 175). The Motion seeks to compel the attendance and testimony of Joseph Esposito and Glen Hauenstein—two high-ranking executives of Delta Air Lines, Inc. (“Delta”). As set forth in Defendants’ Motion and Memorandum in Support of the Motion, Delta’s voluminous document production in this matter, as well as Mr. Esposito’s deposition testimony, show that Delta has made numerous statements about the NEA that directly rebut Plaintiffs’ theory of the case. As such, Mr. Esposito and Mr. Hauenstein will be crucial witnesses in this trial.

Under the Court’s Local Rules, “[a] party opposing a motion shall file an opposition within 14 days after the motion is served, unless . . . another period is fixed by . . . order of the court.”

Local Rule 7.1(b)(2). Accordingly, Defendants respectfully request that any opposition to the Motion by Plaintiffs or Delta be filed by September 21, 2022 (eight days after they were served with the Motion). Defendants also respectfully request that the Court rule on the Motion by September 27, 2022. Doing so will allow Defendants and Delta sufficient time to arrange for the scheduling and appearance of Mr. Esposito and Mr. Hauenstein at trial in the event the Court grants the Motion.

Dated: September 14, 2022

Respectfully submitted,

/s/ Daniel M. Wall

Daniel M. Wall (pro hac vice)  
Elizabeth C. Gettinger (pro hac vice)  
Elise M. Nelson (pro hac vice)  
Nitesh Daryanani (pro hac vice)  
LATHAM & WATKINS LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111-6538  
Telephone: (415) 391-0600  
Facsimile: (415) 395-8095  
dan.wall@lw.com  
elizabeth.gettinger@lw.com  
elise.nelson@lw.com  
nitesh.daryanani@lw.com

Ian R. Conner (pro hac vice)  
Michael G. Egge (pro hac vice)  
Farrell J. Malone (pro hac vice)  
Allyson M. Maltas (pro hac vice)  
Marguerite M. Sullivan (pro hac vice)  
Tara L. Tavernia (pro hac vice)  
Seung Wan Paik (pro hac vice)  
Jesse A. Vella (pro hac vice)  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004-1304  
Telephone: (202) 637-2200  
Facsimile: (202) 637-2201  
ian.conner@lw.com  
michael.egge@lw.com

farrell.malone@lw.com  
allyson.maltas@lw.com  
marguerite.sullivan@lw.com  
andrew.paik@lw.com  
tara.tavernia@lw.com  
jesse.vella@lw.com

David C. Tolley (BBO #676222)  
LATHAM & WATKINS LLP  
200 Clarendon Street  
Boston, MA 02116  
Telephone: (617) 948-6000  
Facsimile: (617) 948-6001  
david.tolley@lw.com

*Attorneys for Defendant American Airlines  
Group Inc.*

/s/ Richard Schwed  
Richard Schwed (pro hac vice)  
Matthew L. Craner (pro hac vice)  
Jessica K. Delbaum (pro hac vice)  
Leila Siddiky (pro hac vice)  
Shearman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 848-5445  
rschwed@shearman.com  
matthew.craner@shearman.com  
jessica.delbaum@shearman.com  
leila.siddiky@shearman.com

Brian Hauser (pro hac vice)  
Ryan Leske (pro hac vice)  
Shearman & Sterling LLP  
401 9th Street, NW  
Washington, DC 20004  
Telephone: (202) 508-8005  
brian.hauser@shearman.com  
ryan.leske@shearman.com

Glenn A. MacKinlay, BBO #561708  
McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02110  
Telephone: (617) 449-6548

gmackinlay@mccarter.com

*Attorneys for Defendant JetBlue Airways  
Corporation*

**LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), Defendants hereby certify that they have conferred with Plaintiffs and James Denvir of Boies Schiller Flexner LLP, counsel to Delta Air Lines, Inc., regarding the relief requested in this motion. Plaintiffs and Delta do not oppose this motion.

/s/ Daniel M. Wall  
Daniel M. Wall

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing. In addition, I hereby certify that a copy of the foregoing document was served by email upon Michael Mitchell and James Denvir of Boies Schiller Flexner LLP, counsel to Delta Air Lines, Inc.

/s/ Daniel M. Wall  
Daniel M. Wall